

Jorgenson, Craig

From: Jack Neff [jackneff01@yahoo.com]
Sent: Friday, July 12, 2013 12:40 PM
To: Rathbone, Colleen; Lozano, VelRey
Subject: Wind River Reservation Pollution Discharge Permits

VelRey Lozano, Acting Wastewater Unit Chief
EPA

This message is in support of PEER's request for a determination regarding compounds within "produced water" is potable for animal life and in opposition to the proposed new water discharge permits for the nearly dozen oil fields on or abutting the Wind River Reservation in Wyoming.

The EPA has just posted proposed **new water discharge permits** for the nearly dozen oil fields on or abutting the Wind River Reservation in Wyoming as the EPA has **Clean Water Act** jurisdiction on tribal lands. Besides not even listing the array of toxic chemicals being discharged, the proposed permits have monitoring requirements so weak that water can be tested long after fracking events or maintenance flushing. In addition, the permits lack any provisions to protect the health of wildlife or livestock.

"Under the less than watchful eye of the EPA, fracking flowback is dumped into rivers, lakes and reservoirs," stated PEER Executive Director Jeff Ruch, pointing out that in both the current and the new proposed permits the EPA ignores its own rules requiring that it list "the type and quantity of wastes, fluids or pollutants which are proposed to be or are being treated, stored, disposed of, injected, emitted or discharged."

"Gushers of putrid, grayish water encrusted with chemical crystals flood through Wind River into nearby streams," he added.

Surface disposal of water produced by oil and gas drilling is forbidden in the Eastern U.S. but allowed in the arid West for purposes of "agricultural or wildlife propagation," **in the words of the governing federal regulation**. Thus, the "produced water," as it is called, must be "of good enough quality to be used for wildlife or livestock watering or other agricultural uses."

In the last decade, fracking fluids often consisting of powerfully toxic chemicals have been included in this surface discharge. The exact mixture used by individual operators is treated as a trade secret. But one recent analysis identified 632 chemicals now used in shale-gas production. More than 75 percent of them affect the respiratory and gastrointestinal systems; 40-50 percent impact the kidneys and the nervous, immune and cardiovascular systems; 37 percent act on the hormone system; and 25 percent are linked with cancer or mutations.

"Amid all the controversy on this topic, there is one point of agreement: Drinking fracking fluids is not a good idea," added Ruch, pointing to cases where cattle drinking creek water contaminated with fracking fluids died or failed to produce calves the following year. "The more than 30-year old '**produced water**' **exception** was intended for naturally occurring fluids and muds from within the geologic formations, not this new generation of powerful chemicals introduced downhole."

Please rewrite the Wind River Reservation Pollution Discharge Permits to regulate all the chemicals being discharged and to determine whether the "produced water" is potable for wildlife and livestock. Thank you.

Jack Neff, P.O. Box 491272, Los Angeles, CA 90049